

REMARKS

In the Final Office Action¹, the Examiner objected to the specification; and rejected claims 1-5 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,655,053 to Renie ("*Renie*"), in view of U.S. Patent Application Publication No. 2002/0007311 to Iseki et al. ("*Iseki*").

By this amendment, Applicant proposes to amend claims 1-5. Upon entry of this amendment, claims 1-5 will be pending.

On page 2 of the Final Office Action, the Examiner objected to the specification, because the phrase "mobile recording medium," recited in claims 1-5, allegedly lacked antecedent basis in the specification. Applicant respectfully traverses this objection. However, by this amendment, Applicant removes the term "mobile" from claims 1-5. Accordingly, the Examiner should withdraw the objection to the specification.

Applicant respectfully traverses the rejection of claims 1-5 under 35 U.S.C. § 103(a) as being unpatentable over *Renie* in view of *Iseki*.

Claim 1 recites a recording medium used for creating an original electronic album of a place, including:

material information including at least one of text, an image, audio, and a map relating to the place;

situational information that is associated with the material information, the situational information including at least one of a location, a date, and a time relating to the place.

Combinations of *Renie* and *Iseki* fail to teach or suggest at least the claimed "situational information."

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

Renie describes a customer at an amusement park. *Renie*, col. 5, lines 39-41. Numerous videos of the customer, and other customers, are recorded throughout the day. *Renie*, col. 4, lines 61-65. Videos of the customer are linked to the customer. *Renie*, col. 6, lines 36-40.

Renie's link between a customer and a video does not constitute the claimed "situational data," at least because it does not "include[] at least one of a location, a date, and a time relating to the place," as recited in claim 1.

Iseki fails to cure the deficiencies of *Renie* by also failing to teach or suggest the claimed "situational information."

Independent claim 1 further recites a program causing a system to:

receive user situational information associated with an image captured by a user, the user situational data comprising at least one of a location, a date, and a time of the captured image;

search the situational information stored on the recording medium with the received user situational information;

Combinations of *Renie* and *Iseki* fail to teach or suggest a "search [of] the situational information stored on the recording medium with the received user situational information," wherein the "user situational information [is] associated with an image captured by a user," as recited in claim 1 (emphasis added).

For at least these reasons, combinations of *Renie* and *Iseki* fail to teach or suggest claim 1. Claim 5, while of different scope than claim 1, distinguishes over *Renie* and *Iseki* for reasons similar to claim 1. Claims 2-4 depend from claim 1.

Applicant respectfully requests that the Examiner enter this Amendment under 37 C.F.R. § 1.116, placing the claims in condition for allowance.

In view of the foregoing, Applicant submits that the claims are neither anticipated nor rendered obvious in view of the cited references. Applicant therefore requests the entry of this Amendment, the Examiner's reconsideration of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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By: 

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